

NORTHERN DISTRICT OF CALIFORNIA

Libellee,

) MEMORANDUM CONTRA MOTION TO DISMISS

2.) Libellant has filed an action for declaratory judgment.

1 3.) Libellant has exhausted his administrative remedies in this
instant matter.

2 4.) Libellant seeks a default judgment as libellees have failed to
3 rebut the complaint.

4 5.) Libellees have failed to ask for a more definitive statement and
are in agreement with libellant.

5 6.) WORLD SAVINGS BANK'S PRESENTMENT fails to aver any first hand
6 knowledge of the facts therein.

7 7.) Averments of an attorney are not first hand evidence and serve as
8 hearsay testimony which is not admissible.

9 8.) I have perfected an administrative COUNTERCLAIM procedure to
10 exhaust my administrative remedies in this instant matter, see
Notary Protest.

11 9.) An examination of the Notary Protest will serve to establish that
12 WORLD SAVINGS by and through KEN THOMPSON have agreed to be bound to the
13 COUNTERCLAIM obtained through the binding arbitration process of a Notary
14 Protest, see Notary Protest.

15 OVERVIEW OF FACTS

16 10.) On August 29, 2007 Libellees sent a presentment to me demanding
payment of a sum certain.

17 11.) I conditionally accepted that presentment upon WORLD SAVINGS
18 BANK'S continuing fiduciary duty to deal honestly and answer questions
about the underlying obligation.

19 12.) The RECORD shows that WORLD SAVINGS BANK refused and/or failed to
provide the requested proof of claim including but not limited to:

20 a.) Provide the original note, both back and front, upon which the
purported obligation arises,

21 b.) Provide evidence in the form of your book keeping entries that
22 show where the "funds" originated.

23 13.) The RECORD shows that WORLD SAVINGS BANK is now resorting to
24 ridicule to avoid the obvious established fact that there is no debt
due and owing WORLD SAVINGS BANK.

25 14.) I am unschooled in law and if the terms I have used are confusing
I apologize and will be honored to clarify any specific definition, in

doubt, to settle and close this matter in harmony with the post
bankruptcy public policy of the UNITED STATES inc.

15.) WORLD SAVINGS BANK has at no time, until now, indicated any
confusion with my correspondence.

16.) WORLD SAVINGS BANK has remained silent until now.

17.) WORLD SAVINGS BANK had ample opportunity to ask for a more
definitive statement.

18.) The RECORD shows that no such request for a more definitive
statement was executed.

19.) Federal Rules of Civil Procedure provide for default judgment by
the clerk for a failure to appear and defend.

20.) The Protest evidences WORLD SAVINGS BANK'S agreement, consent and
stipulation to our position.

21.) A declaratory judgment establishing WORLD SAVINGS BANK'S default
is appropriate.

My yea is my yea and my nay is my nay.

Dated this 5th day of February, 2008



By: authorized representative
Without recourse

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CESAR ANCHANTE-MARTINETTI)	Case No.: No. C 07-05929 SI
)	
C/o KEN THOMPSON)	CERTIFICATE OF SERVICE
)	
6787 Hillsvieview Dr)	
)	
Vacaville, California Zip Code Exempt)	
)	
Libellant,)	
)	
vs.)	
)	
WORLD SAVINGS, KEN THOMPSON,)	
)	
C/o 1999 Harrison Street, Suite 2400)	
)	
Oakland, California,)	
)	
Libellees)	
<hr/>		
)	

Now, by special appearance, comes Cesar: Anchante-Martinetti, the flesh and blood man, Sui Juris and unschooled in law, hereinafter referred to as me, my, I or the like, to make the following AFFIDAVIT with clean hands, full disclosure and no intent to defraud, furthermore, the following first hand asseverations are true, complete, certain and not meant to mislead or delay.

- 1.) I am of legal age, competent to testify and under no legal disability.
- 2.) On January 28th, 2008 I caused the inclosed MEMORANDUM to be sent to WORLD SAVINGS AND KEN THOMPSON, by and through JACK R. NELSON 00111863, esquire and KEITH D. YANDELL 00233146, esquire by placing the same in a postage pre-paid envelope addressed as follows;

WORLD SAVINGS by and through
JACK R NELSON 00111863, esquire and
KEITH D. YANDELL 00233146, esquire
C/o 1999 Harrison Street, Suite 2400
Oakland, California [94612]

By certified mail # 7006 0100 0005 6175 and depo5342siting it with the
U. S. Postal Service

My yea is my yea and my nay is my nay.

Dated this 5th day of February, 2008

A handwritten signature in cursive script, appearing to read "Susan Ambrosio Martinelli".

By: authorized representative
Without recourse